

Message Text

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TAGS: OVIP (KISSINGER, HENRY A.)

SUBJECT:UPI ITEM ON GESELL ORDER

1.BEGIN QUOTE. WASHINGTON (UPI) -- U.S. DISTRICT JUDGE GESELL TODAY ORDERED SECRETARY OF STATE HENRY KISSINGER TO APPEAR AS A DEFENSE WITNESS IN THE ELLSBERG BREAK-IN CONSPIRACY TRIAL OF JOHN EHRLICHMAN.

GESELL ACTED AFTER EHRLICHMAN, TESTIFYING IN HIS OWN BEHALF, DENIED HE ORDERED THE BURGLARY AND SAID HE NEVER REALIZED THE 'OVERT OPERATION' HE APPROVED WOULD LEAD TO THE BREAK-IN.

GESELL ORDERED KISSINGER TO APPEAR WEDNESDAY MORNING AFTER EHRLICHMAN'S LAWYERS SAID IT WAS 'MATERIAL AND NECESSARY' THAT THE SECRETARY OF STATE TESTIFY.

'HE'S TO BE HERE AT 9:30 WEDNESDAY MORNING,' GESELL SAID FIRMLY AFTER A BRIEF DISCUSSION ABOUT KISSINGER'S APPEARANCE.

WILLIAM FRATES, EHRLICHMAN'S LAWYER, SAID HE WANTED
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KISSINGER TO RESPOND TO TESTIMONY BY DAVIS YOUNG THAT

EHRlichman AND KISSINGER DIRECTED THE PLUMBERS TO GET A

PSYCHOLOGICAL PROFILE OF DR. DANIEL ELLSBERG AFTER HE
HAD LEAKED THE PENTAGON PAPERS TO REPORTERS.

KISSINGER HAD SOUGHT LAST WEEK TO GET HIS SUBPOENA
QUASHED BUT GESELL RULED AGAINST HIM AND ORDERED THAT
HE STAND BY 'IN READINESS' TO RESPOND IF CALLED.

GESELL'S DIRECTIONS CAME AT THE END OF A DAY OF LONG
APPEARANCE ON THE STAND BY EHRlichman, WHO FIRMLY
DENIED HE ORDERED THE ELLSBERG BURGLARY AND SAID HE
WAS SHOCKED TO LEARN IT HAD OCCURRED.

'IT WAS TOTALLY OUT IN LEFT FIELD FROM ANYTHING I HAVE
EVER DONE,' SAID EHRlichman RECALLING HIS REACTION WHEN
TOLD ABOUT THE BURGLARY BY EGIL KROGH WHO WITH YOUNG
DIRECTED THE PLUMBERS. 'I EXPRESSED MY GREAT UN-
HAPPINESS AND SURPRISE AND SAID THEY SHOULD NOT DO
ANYMORE.' END QUOTE

2. COMMENTS FOLLOW SEPTTEL. SISCO

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